

Panaji, 9th December, 1986 (Agrahayana 18, 1908)

SERIES I No. 36

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### EXTRAORDINARY

#### GOVERNMENT OF GOA, DAMAN AND DIU

Law Department

Legal Affairs Branch

#### Notification

7-28-86/LA

The Industrial Disputes (Goa, Daman and Diu Amendment) Ordinance, 1986 (Ordinance No. 2 of 1986) which has been promulgated by the Administrator of Goa, Daman and Diu on 8-12-1986 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 8th December, 1986.

#### THE INDUSTRIAL DISPUTES (GOA, DAMAN AND DIU AMENDMENT) ORDINANCE, 1986

(Ordinance No. 2 of 1986)

Promulgated by the Administrator in the Thirty-seventh Year of the Republic of India.

*An Ordinance to amend the Industrial Disputes Act, 1947 in its application to the Union territory of Goa, Daman and Diu.*

Whereas the Legislature of the Union territory of Goa, Daman and Diu is not in session and the Administrator is satisfied that circumstances exist which render it necessary for him to take immediate action;

And Whereas the instructions of the President have been obtained in pursuance of the first proviso to clause (1) of article 239 B of the Constitution.

Now, therefore, in exercise of the powers conferred by clause (1) of article 239 B of the Consti-

tution, the Administrator is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*— (1) This Ordinance may be called the Industrial Disputes (Goa, Daman and Diu Amendment) Ordinance, 1986.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force at once.

2. *Amendment of section 7.*— In section 7 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "principal Act"), in sub-section (3), after clause (d), the following clauses shall be inserted, namely:—

"(d-1) he has practised as an advocate or attorney for not less than seven years in a High Court or in two or more such Courts in succession, or any Court subordinate thereto, or any Industrial Court or Tribunal or Labour Court constituted under any law for the time being in force; or

(d-2) he holds a degree in law of a university established by law in any part of India or an equivalent degree and is holding or has held an office not lower in rank than that of Deputy Registrar of any Industrial Court or Tribunal or Labour Court constituted under any law for the time being in force for not less than five years; or

(d-3) he holds a degree in law of a university established by law in any part of India or an equivalent degree and is holding or has held an office not lower in rank than that of Assistant Commissioner of Labour under a State Government or a Union territory administration for not less than five years; or".

3. *Amendment of section 7A.*— In section 7A of the principal Act, in sub-section (3), for clause (aa), the following clauses shall be substituted, namely:—

"(b) he is, or has been, a District Judge; or

(c) he has, for a period of not less than three years, been an Additional District Judge or an Assistant Judge; or

(d) he is qualified for appointment as a Judge of the High Court.”.

*M. Raghuchander*, Law Secretary.

### Notification

LD/1/86-L.A.B.,

The Indian Electricity (Amendment) Act, 1986 (No. 31 of 1986) passed by Parliament and assented to by the President of India on the 12th August, 1986 and published in the Gazette of India, Extraordinary, Part II, Section 1 dated 14-8-1986, is hereby republished for general information.

*P. V. Kadnekar*, Under Secretary (Drafting).

Panaji, 4th December, 1986.

### GOVERNMENT OF INDIA

### MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 14th August, 1986/Sravana 23, 1908 (Saka).

The following Act of Parliament received the assent of the President on the 12th August, 1986 and is hereby published for general information:—

The Indian Electricity (Amendment) Act, 1986

No. 31 of 1986

[12th August, 1986.]

An Act further to amend the Indian Electricity Act, 1910.

Be it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Indian Electricity (Amendment) Act, 1986.

2. *Substitution of new sections for section 39.*—For section 39 of the Indian Electricity Act, 1910 (hereinafter referred to as the principal Act), the following sections shall be substituted, namely:—

“39. *Theft of energy.*—Whoever dishonestly abstracts, consumes or uses any energy shall be punishable with imprisonment for a term which may extend to three years, or with fine which shall not be less than one thousand rupees, or with both; and if it is proved that any artificial means or means not authorised by the licensee exist for the abstraction, consumption or use of energy by the consumer, it shall be presumed, until the contrary is proved, that any abstraction, consumption or use of energy has been dishonestly caused by such consumer.

39A. *Abetment.*—Whoever abets an offence punishable under section 39 or section 44 shall, notwithstanding anything contained in section 116 of the Indian Penal Code, be punished with punishment provided for the offence”. 45 of 1860.

3. *Amendment of section 44.*—In section 44 of the principal Act,—

(a) after clause (a), the following clause shall be inserted, namely:—

“(aa) unauthorisedly re-connects any meter referred to in sub-section (1) of section 26, or any meter, indicator or apparatus referred to in sub-section (7) of section 26, with any electric supply-line or other works, being the property of the licensee, through which energy may be supplied, when the said electric supply line or other works has or have been cut or disconnected under sub-section (1) of section 24; or”;

(b) for the words “shall be punishable with fine which may extend to five hundred rupees”, the words “shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both” shall be substituted;

(c) after the words, brackets and letter “such connection as is referred to in clause (a)”, the words, brackets and letters “or such re-connection as is referred to in clause (aa)”, shall be inserted;

(d) for the words “that such connection, communication”, the words “that such connection, re-connection, communication” shall be substituted.

4. *Amendment of sections 47 and 48.*—In sections 47 and 48 of the principal Act, for the word and figures “sections 39”, the words, figures and letter “section 39, section 39A or section 40” shall be substituted.

5. *Amendment of section 49.*—In section 49 of the principal Act, for the word and figures “sections 39, 40”, the word, figures and letter “sections 39, 39A, 40” shall be substituted.

6. *Amendment of section 50.*—In section 50 of the principal Act, after the words “the Government”, the words “or a State Electricity Board” shall be inserted.

S. RAMAIAH,

Secy. to the Govt. of India.

### Notification

LD/1/86-L.A.B./1090

The following Notifications both bearing No. 24/20/86-Jus dated the 4th November, 1986 issued by the Ministry of Law and Justice (Department of Justice), New Delhi, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated 4-11-1986, and Notification No. 24/44/86-Jus dated the 24th October, 1986 also issued by the Ministry of Law and Justice (Department of Justice), New Delhi published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) dated 4-11-1986, are hereby republished for general information.

*P. V. Kadnekar*, Under Secretary (Drafting).

## MINISTRY OF LAW AND JUSTICE

(Department of Justice)

New Delhi, the 4th November, 1986

## Notifications

G. S. R. 1175(E). — In exercise of the powers conferred by Section 23 read with Section 24 of the High Courts Judges (Conditions of service) Act, 1954 (28 of 1954), the Central Government hereby makes the following rules further to amend the High Courts Judges Rules, 1956, namely: —

1. (i) These rules may be called the High Court Judges (Amendment) Rules, 1986.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. In the High Court Judges Rules, 1956, —

(i) in rule 2, for the second proviso, the following proviso shall be substituted, namely: —

“Provided further that, in respect of facilities for medical treatment and accommodation in hospitals, —

(a) in the case of Judges of the High Courts other than the Delhi High Court and the Punjab and Haryana High Court, the rules and provisions as applicable to a Cabinet Minister of the State Government in which the principal seat of the High Court is situated, shall apply;

(b) in the case of Judges, other than the Chief Justices, of the Delhi High Court and the Punjab and Haryana High Court, the rules and provisions as applicable to a Union Deputy Minister shall apply;

(c) in the case of the Chief Justices of the Delhi High Court and the Punjab and Haryana High Court, the rules and provisions as applicable to a Union Cabinet Minister shall apply”;

(ii) in rule 2A, in the Explanation, in paragraph (b), after the words “water and electricity consumed” and before the words “which shall be borne”, the following brackets and the words shall be inserted, namely:

“(in excess of rupees twelve thousand per annum)”;

(iii) in rule 2B, clauses (a) and (b) shall be substituted by the following, namely: —

“(a) in the case of an official residence allotted to —

(i) the Chief Justice of a High Court, other than the Delhi High Court and the Punjab and Haryana High Court, rupees five thousand more than the scale provided to a Cabinet Minister of the State Government in which the principal seat of the High Court is situated;

(b) the Chief Justice of the Delhi High Court or Punjab and Haryana High Court, on the same scales as provided for the Union Cabinet Ministers.

(c) a Judge of a High Court, other than the Delhi High Court and the Punjab and Haryana High Court, “on the same scales as provided to the Cabinet Ministers of the State Government in which the principal seat of the High Court is situated”;

(d) a Judge of the Delhi High Court or the Punjab and Haryana High Court, on the same scales as provided for the Union Deputy Ministers.”;

(iv) after rule 2C, the following rule shall be inserted, namely: —

“2D — A Judge of a High Court may nominate any other person to receive the arrears of pension payable to him in accordance with the provision of the payment of Arrears of Pension (Nomination) Rules, 1983”.

[No. 24/20/86-Jus.]

J. S. BADHAN, Jt. Secy.

Foot Note. — Principal Rules published by Notification No. S. R. O. 224, dated 24th January, 1956, Gazette of India, 1956, Part II Section 3, page 106.

Subsequently amended by: —

1. S. R. O. 707 dated 28-2-1957.
2. G. S. R. 497 dated 13-3-1970.
3. G. S. R. 336(E) dated 11-7-1972.
4. G. S. R. 562 dated 21-4-1979.
5. G. S. R. 1015 dated 21-7-1979.

G. S. R. 1176(E). — In exercise of the powers conferred by section 24 of the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958), the Central Government hereby makes the following rules further to amend the Supreme Court Judges Rules, 1959, namely: —

1. (1) These rules may be called the Supreme Court Judges (Amendment) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Supreme Court Judges Rules, 1959, —

(i) after rule 3, the following rule shall be inserted, namely: —

“3A — Payment of arrears of pension — A Judge may nominate any other person to receive the arrears of pension payable to him in accordance with the provisions of the Payment of Arrears of Pension (Nomination) Rules, 1983.”

(ii) in the Explanation below rule 4, for the brackets and words “(in excess of rupees two thousand and four hundred per annum)”, the brackets

and words "(in excess of rupees twelve thousand per annum)", shall be substituted.

[F. No. 24/20/86-Jus.]

J. S. BADHAN, Jt. Secy.

Foot Note. — Principal Rules published vide Notification No. G. S. R. 935 dated the 4th August, 1959 Gazette of India, Part II, Section 3(i) page 1161.

Subsequently amended by: —

1. Notification No. 1/34/74-Jus. (i) dated 18-12-1974.
2. G. S. R. 634 dated 22-4-1976.
3. G. S. R. 854 dated 1-8-1980.

## MINISTRY OF LAW AND JUSTICE

(Department of Justice)

### Notification

*New, Delhi, the 24th October, 1986*

S. O. 827(E). — In exercise of the powers conferred by sub-section (2) of Section 1 of the High Court and Supreme Court Judges (Conditions of Service) Amendment Act, 1986 (38 of 1986), the Central Government hereby appoints the 1st day of November, 1986, as the date on which the said Act shall come into force.

[No. 24/44/86-Jus.]

J. S. BADHAN, Jt. Secy.